

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**IN RE: NATIONAL PRESCRIPTION
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*City of Chicago v. Cardinal Health,
Inc., et al.
Case No. 18-op-45281-DAP*

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**UNOPPOSED MOTION TO DISMISS CVS HEALTH CORPORATION AND ADD
CVS INDIANA, L.L.C. AS DEFENDANT**

Pursuant to Federal Rule of Civil Procedure 21, Plaintiff in the above-captioned case hereby moves to dismiss Defendant CVS Health Corporation (“CVS Health”) from the case without prejudice and to add CVS Indiana, L.L.C. (“CVS Indiana”) as a Defendant in that case. CVS Health does not oppose the motion.

On June 8, 2018, CVS Health moved to dismiss the complaint in the above-captioned case for lack of personal jurisdiction under Federal Rule of Civil Procedure 12(b)(2). If this motion pursuant to Rule 21 to dismiss CVS Health is granted, the motion to dismiss for lack of personal jurisdiction will be moot.

This motion and the addition of CVS Indiana to this case is without prejudice to any defenses, counterclaims, cross-claims, arguments, or other legal positions available to CVS Indiana as a Defendant in the case.

DATED: July 5, 2018.

Respectfully submitted,

EDWARD N. SISKEL
Corporation Counsel, City of Chicago

BY: /s/ Linda Singer
Linda Singer

Thomas P. McNulty
Fiona A. Burke
City of Chicago, Department of Law
30 N. LaSalle St., Suite 1240
Chicago, IL 60602
thomas.mcnulty@cityofchicago.org
fiona.burke@cityofchicago.org
Phone: (312) 744-6929
Fax: (312) 742-3832

Linda Singer
Elizabeth Smith
David I. Ackerman
MOTLEY RICE LLC
lsinger@motleyrice.com
esmith@motleyrice.com
dackerman@motleyrice.com
401 9th Street NW, Suite 1001
Washington, DC 20004
Phone: (202) 232-5504
Fax: (202) 386-9622

Lisa Saltzburg
Jennifer Guy
Natalie Deyneka
MOTLEY RICE LLC
28 Bridgeside Blvd.
Mount Pleasant, SC 29464 lsaltzburg@motleyrice.com
jguy@motleyrice.com
ndeyneka@motleyrice.com
Telephone: (843) 216-9000

Kenneth A. Wexler
Bethany R. Turke
Kara A. Elgersma
Thomas A. Doyle
WEXLER WALLACE LLP
55 W. Monroe Street, Suite 3300
Chicago, IL 60603

kaw@wexlerwallace.com
brt@wexlerwallace.com
tad@wexlerwallace.com
Phone: (312) 346-2222
Fax: (312) 346-0022

Attorneys for Plaintiff City of Chicago

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 5th day of July 2018, I electronically filed the foregoing with the Clerk of Court by using the CM/ECF System. Copies will be served upon counsel of record by, and may be obtained through, the Court CM/ECF Systems.

/s/ Linda Singer
Linda Singer